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Via Fax

Hon. Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, N.Y. 10601

Re: Zherka v. Amicone, 07 Civ. 9618 (CLB)

April 9, 2008

MEMO END/MSL

Deposition Granted
Conference Scheduled
for 4-18-08 at 9:30 AM -
So Ordered

April 9, 2008

Charles L. Brieant USDS

Dear Judge Brieant:

Several weeks ago I noticed the Defendant and several non-party witnesses for depositions. Just recently I received correspondence from Kevin Plunkett advising that since there presently is no scheduling order in this case, the depositions cannot proceed.

Under the circumstances I am requesting that this matter be put on the Court's calendar for April 18, 2008, so that a scheduling order can be issued. In that connection I note that the Court already has several related cases on the calendar for that date.

Respectfully,

JL
Jonathan Lovett

JL:clp

Cc: Kevin Plunkett, Esq., via fax